

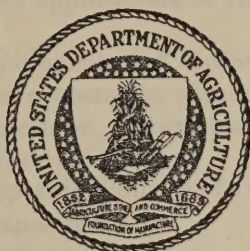
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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

INSTRUCTIONS ON SIGNATURES
AND AUTHORIZATIONS

IN CONNECTION WITH THE EXECUTION OF
APPLICATIONS FOR PAYMENT OR RELATED PAPERS
UNDER THE
AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES
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INSTRUCTIONS ON SIGNATURES AND AUTHORIZATIONS

In Connection With the Execution of Applications for Payment or Related Papers
Under the Agricultural Conservation Program

FOREWORD

These instructions are promulgated for the purpose of setting forth, in a concise manner, the various requirements of the Agricultural Adjustment Administration regarding signatures on Applications for Payment (hereinafter referred to as applications) or related papers pursuant to the Agricultural Conservation Program. They should be strictly followed in connection with the execution of applications for payment or related papers in all Regions.

These instructions have been divided into the following three sections:

Section A.—Requirements for acceptance of signatures of individuals, co-signers (joint-owners or joint-operators), and sole proprietors who sign applications or related papers in their own right.

Section B.—Requirements for acceptance of signatures of an individual, firm, or corporation signing applications or related papers as agent, executor, administrator, guardian, committee, receiver, liquidator, or trustee.

Section C.—Acceptable evidence of authority of persons signing in representative capacities.

GENERAL PROVISIONS

Method of Affixing Signatures.—All signatures must be in the original handwriting of the person signing and, where practicable, should be affixed with pen or indelible pencil.

Witnesses to Signatures.—The signature of any person, when affixed to an application or related paper by mark (X), must be witnessed by a person whose signature must be in the original and handwritten.

Plural Meaning of Terms.—Any term used herein in the singular may also be construed or applied in the plural wherever the context or the application of such term so requires or permits.

Gender of Terms.—Any term used herein in the masculine may also be construed or applied in the feminine or neuter gender wherever the context or application of such term so requires or permits.

SECTION A.—SIGNATURES OF INDIVIDUALS, CO-SIGNERS, AND SOLE PROPRIETORS

Signature of a
Person Signing
For and On Be-
half of Himself.

1. The signature of a person on an application or related paper for and on behalf of himself should be:

A. In the style in which he customarily signs business documents.

(1) Examples:

(A) (Signature) John H. Doe.

(B) (Signature) John Doe.

Signatures of
Co-Signers.

2. The signatures of co-signers (joint-owners or joint-operators) on an application or related paper should be:

A. Signed by each co-signer as an individual.

(1) Example:

(Signature) John H. Doe.

(Signature) Harry Doe.

Signature of a
Sole Proprietor.

3. The signature of a sole proprietor on an application or related paper for and on behalf of a business owned solely by himself should indicate:

A. The name of the business immediately preceding his signature, and

B. The fact that he is a sole proprietor.

C. Example:

X Y Z Company, by John H. Doe, Sole Proprietor.

SECTION B.—SIGNATURES OF PERSONS SIGNING IN REPRESENTATIVE CAPACITIES

1. In the event an application or related paper is signed in a representative or fiduciary capacity, the person signing should indicate the principal or the estate, as the case may be, and the capacity in which he signs. The signature should be in the following style:

A. *An Agent*

(1) John H. Doe by Richard Roe, Agent.

(2) Jones and Smith, A Partnership, by Richard Roe, Agent.

(3) A B C Company, Inc., by Richard Roe, Agent.

B. *An Executor*

(1) John H. Doe, Executor of the Estate of Richard Roe, Deceased.

C. *An Administrator*

- (1) John H. Doe, Administrator of the Estate of Richard Roe, Deceased.

D. *A Guardian or Committee*

- (1) John H. Doe, Guardian (or Committee) of the Estate of Harry Roe, Minor (or Incompetent).

E. *A Receiver or Liquidator*

- (1) John H. Doe, Receiver (or Liquidator) of A B C Company, Inc.

F. *A Trustee*

- (1) John H. Doe, Trustee for the Heirs of Richard Roe, Deceased.

G. *A State, County, or Municipal Officer*

- (1) Douglas County, Michigan,
By John H. Doe, County Commissioner.

H. *A Federal Officer*

- (1) Such officer must indicate his title.

I. *A Member of a Partnership*

- (1) Smith and Jones,
By John Smith, a partner.

J. *An Officer of a Corporation*

- (1) A B C Company, Inc.
By Richard Roe, President (or other officer).

SECTION C.—AUTHORIZATIONS FOR PERSONS SIGNING IN REPRESENTATIVE CAPACITIES

1. When an application or related paper is signed by a person in a representative capacity, as set forth in Section B hereof,

A. The community and county committee are charged with the responsibility of determining that such representative has proper authority so to act.

Responsibility of
Community and
County Com-
mittee.

B. The execution of the Certificate of County Committee shall constitute a certification of the County Committee by a member thereof that the person who signs the application in a representative capacity does possess the necessary authority so to act.

Certification by
County Com-
mittee.

C. In the event the community and county committee do not have personal knowledge that such representative has the necessary author-

Submission of
Documentary
Evidence.

ity they should require such person to show proper evidence of his authority. No written evidence of such authority need be attached to the Application.

2. In those cases where the community and county committee do not have personal knowledge of the authority of a representative or fiduciary and for that reason require such person to show to them evidence of his authority, the following types of evidence should be accepted:

Administrator,
Executor,
Guardian, or
Committee.

A. Administrator, executor, guardian, or committee

- (1) Court order of appointment or court order authorizing the execution of the application or related paper

(A) Signed by an officer of the court which issued such order with seal of issuing court affixed, and

(B) With a certification by the court in the case of a court order of appointment that such order is still in full force and effect, or

- (2) Short certificate of Letters of Administration, Letters of Appointment, or Letters Testamentary

(A) Signed by an officer of the court which issued such letters with seal of issuing court affixed, and

(B) With a certification by the court that the letters are still in full force and effect, or

- (3) Copy of court order of appointment or court order authorizing the execution of the application or related paper

(A) Certified a true copy by an officer of the court which issued such order or by an officer authorized to take acknowledgments or administer oaths, with official seal affixed, and

(B) With a certification by the court in the case of a court order of appointment that the order is still in full force and effect, or

- (4) Photostatic copy of original court order of appointment or court order authorizing execution of application or related paper

- (A) Provided original of such court order was executed in accordance with paragraph 2 A (1), above.

B. Receiver or liquidator

**Receiver or
Liquidator.**

- (1) Court order of appointment or court order authorizing the execution of the application or related paper
 - (A) Signed by an officer of the court which issued such order with seal of issuing court affixed, and
 - (B) With a certification by the court in the case of a court order of appointment that the order is still in full force and effect, or
- (2) Short certification of appointment
 - (A) Signed by an officer of the court which issued such order with seal of issuing court affixed, and
 - (B) With certification by the court that the order is still in full force and effect, or
- (3) Copy of court order of appointment or court order authorizing the execution of the application or related paper
 - (A) Certified a true copy by an officer of the court which issued such order or by an officer authorized to take acknowledgments or administer oaths, with official seal affixed, and
 - (B) With certification by court in the case of a court order of appointment that the order is still in full force and effect, or
- (4) Order of appointment by State or by a State Department
 - (A) Signed by an authorized State official with official seal of State or State Department affixed, and
 - (B) Certification by authorized State official that appointment is still in full force and effect, or
- (5) Copy of order of appointment by State or State Department
 - (A) Certified a true copy by an authorized State official or by an officer author-

ized to take acknowledgments or administer oaths, with official seal affixed, and

(B) With certification by authorized State official that appointment is still in full force and effect, or

(6) Order of appointment by an authorized official of the office of the Comptroller of the Currency

(A) Signed by an authorized official of the office of the Comptroller of the Currency, with seal of Comptroller of the Currency affixed, and

(B) With certification by an authorized official of the office of the Comptroller of the Currency that appointment is still in full force and effect, or

(7) Copy of order of appointment by an authorized official of the office of the Comptroller of the Currency

(A) Certified a true copy by an authorized official of the office of the Comptroller of the Currency or by an officer authorized to take acknowledgments or administer oaths, with official seal affixed, and

(B) With certification by an authorized official of the office of the Comptroller of the Currency that appointment is still in full force and effect, or

(8) Order of appointment by trustees for creditors (if permitted under State law)

(A) Signed by all trustees with evidence of appointment of trustees, in form of certified copy of resolution adopted by majority of creditors, and

(B) With certification by one or more of such trustees that the appointment is still in full force and effect, or

(9) Copy of order of appointment by trustees for creditors (if permitted under State law)

(A) Certified a true copy by one or more of such trustees or by an officer author-

ized to take acknowledgments or administer oaths, with evidence of appointment of trustees in form of certified copy of resolution adopted by majority of creditors, and

(B) With a certification by one or more of such trustees that appointment is still in full force and effect, or

(10) Appointment by Board of Directors in the form of a copy of a resolution of the Board of Directors or executive committee appointing a receiver or liquidator

(A) Certified a true copy by a member of the board of directors or an officer authorized to take acknowledgments or administer oaths, or

(11) Photostatic copy of the original document of authority

(A) Provided original of such document was executed in accordance with paragraph 2 B (1), 2 B (4), 2 B (6), 2 B (8), or 2 B (10), above.

C. Trustee

Trustee.

(1) Court order of appointment or court order authorizing execution of application or related paper

(A) Signed by an officer of the court which issued such order, with seal of issuing court affixed, and

(B) With certification by the court in the case of a court order of appointment that such order is still in full force and effect, or

(2) Short certificate of court order of appointment

(A) Signed by an officer of the court which issued such court order, with seal of issuing court affixed, and

(B) With certification by the court that such court order is still in full force and effect, or

(3) Copy of court order of appointment or court order authorizing execution of application or related paper

- (A) Certified a true copy by an officer of the court which issued such order or by an officer authorized to take acknowledgments or administer oaths, with official seal affixed, and
- (B) With certification by the court in the case of a court order of appointment that such order is still in full force and effect, or
- (4) Trust Agreement
 - (A) Signed by the creator(s) of the Trust, or
- (5) Copy of Trust Agreement
 - (A) Certified a true copy
 - a. By the creator or any one of several creators, or
 - b. By an officer authorized to take acknowledgments or administer oaths, with official seal affixed, or
- (6) Copy of last will and testament establishing a trust
 - (A) Certified a true copy by an officer of the probate court where the will was probated or by an officer authorized to take acknowledgments or administer oaths, with official seal affixed, and
 - (B) With certification by officer of probate court that last will and testament has been probated, or
- (7) Photostatic copy of original document of authority
 - (A) Provided original document has been executed in accordance with paragraphs 2 C (1), 2 C (4), or 2 C (6), above.

State, County or
Municipal
Officer.

D. State, County, or Municipal Officer

- (1) A Certification by an authorized governmental body or governmental officer that the official who signed the application or related paper is properly authorized, or
- (2) Reference to the particular statute authorizing such official to sign on behalf of the State, County, or Municipality

- (3) With the impression of the official seal of the State, County, or Municipality affixed to the application or related paper unless such political sub-division has not adopted a seal, in which event a statement to that effect must accompany the signature of the governmental official.

E. Agent**Agent.**

- (1) In the case of an agent for an individual
- (A) Power of Attorney
 - a. Signed by principal, and
 - b. Sworn to by principal or witnessed by a person other than the agent or principal, or
 - (B) Copy of Power of Attorney
 - a. Certified a true copy by a person other than the agent, or
 - (c) Photostatic copy of Power of Attorney
 - a. Provided the original was executed in accordance with (A), above.
- (2) In the case of an agent for a sole proprietorship
- (A) Power of Attorney
 - a. Signed by the sole proprietor as provided in Section A, paragraph 3, above, and
 - b. Sworn to by the sole proprietor or witnessed by a person other than the agent or sole proprietor, or
 - (B) Copy of Power of Attorney
 - a. Certified a true copy by a person other than the agent, or
 - (c) Photostatic copy of Power of Attorney
 - a. Provided the original was executed in accordance with (A), above.
- (3) In the case of an agent for a partnership
- (A) Power of Attorney
 - a. Signed by a partner as provided in section B, paragraph I, above, and
 - b. Sworn to by the partner or witnessed by a person other than such partner or the agent, or
 - (B) Copy of Power of Attorney
 - a. Certified a true copy by a person other than the agent, or

- (c) Photostatic copy of Power of Attorney
 - a. Provided the original was executed in accordance with (A), above.
- (4) In the case of an agent signing for a corporation
 - (A) Power of Attorney
 - a. Signed by an officer of the corporation as provided in Section B, paragraph J, above, and
 - b. Sworn to by such officer or witnessed by a person other than the agent, or
 - (B) Copy of Power of Attorney
 - a. Certified a true copy by a person other than the agent, or
 - (c) Photostatic copy of Power of Attorney
 - a. Provided the original was executed in accordance with paragraph (A), above.
- (5) In the case of an agent signing for a receiver or liquidator
 - (A) Power of Attorney
 - a. Signed by the receiver or liquidator whose signature must be in accordance with, and whose authority must have been established as provided in Section C, paragraph 2 B, above, and
 - b. Sworn to by such receiver or liquidator or witnessed by a person other than the agent, or
 - (B) Copy of Power of Attorney
 - a. Certified a true copy by a person other than the agent, or
 - (c) Photostatic copy of Power of Attorney
 - a. Provided the original was executed in accordance with (A), above.